The Ohio Statesman ROYAL QUARTO DICTIONARY. DAILY, TRI-WEEKLY AND WEEKLY

MANYPENNY & MILLER. PUBLISH BS AND PROPRIETORS.

IJ Office Nos. 36, 38 and 40, North High St TERMS INVARIABLY IN ADVANCE. Daily ... \$6 00 per year.

"By the Carrier, per week, 12½ cents.

Tri-Weekly ... 3 00 per year.

Weekly, ... 1 00

erms of Advertising by the Square ne square 1 year...\$20 00 One square 3 weeks...\$4 00 One "9 months 18 00 One "2 weeks... 3 00 One "6 months 15 00 One "1 week... 1 75 One "3 months 10 00 One "3 days... 1 00 One "2 days... 2 one "1 months 8 00 One "2 days... 75 One "1 months 5 00 One "1 insertion 50 Displayed advertisements half more than the above rates.

Advertisements leaded and placed in the column of Special Notices," double the ordinary rates.

All notices requires to be published by law, legal rates. If ordered on the inside exclusively after the first week per cent, more than the above rates; but all such wil appear in the Tri-Weekly without charge.

Business Cards, not exceeding five lines, per year, inde, \$2.50 per line; outside \$2.

All transient advertisements must be paid for to advance. The rule will not be varied from.

Weekly, same price as the Daily, where the advertises see the Weekly alone. Where he Daily and Weekly are both used, then the charge for the Weekly will be as' the rates of the Daily No advertisement taken except for a definite period.

BUSINESS CARDS.

F. A. B. SIMKINS. Attorney at Law AND NOTARY PUBLIC.

Office-Ambos Building, opposite Capitol Square. COLUMBUS, OHIO;

COLUMBUS Machine Manufacturing Company



STEAM ENGINES & BOILERS Castings, Mill-Gearing, Machinery

Railroad Work

OF EVERY DESCRIPTION COLUMBUS, OHIO. CHAS. AMROS, Sup't-decil, 1858-tf P. AMBOS, Treas

Winter Arrangement.

Little Miami & Columbus & Xenia RAILROADS.

For Cincinnati, Dayton & Indianapolis! Through to Indianapolis without Change of Cars nd but One Change of Cars between Columbus and St. Louis.

THREE TRAINS DAILY FROM COLUM-

FIRST TRAIN.

(Daily, Mondays excepted.)

NIGHT EXPRESS, via Dayton, at 2:45 a. m., stopping at London, Xenia, Dayton, Middletown and Hamilton, arriving at Cincinnati at 8:20 a. m.; Dayton at 5:45 a. m., Indianopolis at 10:48 a. m.; it. Louis at 11:50 SECOND TRAIN.

ACCOMMODATION, at 6:10 a.m., stopping at all Station, between Columbus and Cincinnati and Dayton, arriving at Cincinnati 11:02 a.m., Dayton at 9:15 a.m., Indianopolis at 2:28 p.m.
THIRD TRAIN.

DAY EXPRESS, at 2:30 p. m., stopping at Alton, Jefferson, London, Charleston, Cedarville, Xenia, Spring Valley, Corwin, Morrow. Deerfield, Foster's, Loveland, Millford and Plainville, arriving at Cincinnati at 7:20 p. m.; St. Louis at 12 m; Dayton at 5:33 p. m.; Iodianopolis at 10:38 p. m.

Sleeping Cars on all Night Trains to Cincinnati and Indianapolis. BAGGAGE CHECKED THROUGH

For further information and Through Tickets. apply M. L. DOHERTY, Ticket Agent, Union Depot. Columbus, Ohio E. W. WOODWARD,

Just Received!

Just Received!

100 HF. CH GREEN and BLACK
150 pockets old Dutch Government Java Coffee.
150 pockets old Dutch Government Java Coffee.
200 bbls. standard White Sugars, consisting of Powdred, Chrushed, Granulated A and B Coffee.
50 quintals George Bank Coffish.
20 bbls. Mess and No. 1 Mackerel.
5 tes. Pick Shimon.
100 bx. Layer Raisins.
50 hf. box do do
100 qr. box do de
100 M Cigars, different brands and grades.
nov27 WM. McDONALD.

M. C. LILLEY BOOK BINDER And Blank-Book Manufanturer, NORTH BIGH STREET, COLUMBUS, OHIO

Red, White and Blue

DELAYNES, CALICOES, HIBBONS, SILKS,

BAIN & SON.

NEW HOOP SKIRT. BAIN & SON, No. 29, SOUTH HIGH STREET.

Have just received a new make of HOOP SKIRTS nished in a manner far superior to any yet introduced DURABILITY AND GRACEFULNESS.;

WHITE WHEAT, BRANDED

"SNOWBLAKE."
From "Barnett Mills," Springuald, 0.—the best brand Flour brought to our market. Satisfaction guarantees for sale only at WM. McDONALD'S, nov27
106 Bouth High street.

Irish Linen Goods.

WARRANTED FAMERIC

Linen Rhirt Bosoms Plain and Fancy
Shirting and Bosom Linens.
Linen Sheetings and Pillow Ossings.
Linen Combries and Long Lawins.
Linen Pocket-Bandk'fs, sil stees.
Linen Towellings and Diaper
Linen Napkins and D'Oylies.
Linen Table Cloths and Batin Damaaks.
Linen Towels with colored borders.
Linen Towels with colored borders.
Linen Stair Coverings and Crash.
For sale at low prices.

BAIN & BON,
feb22

No. 29 South High street.

BONNETS, RIBBONS TABS, AND

A LEXANDRES KID GLOVES.

All sizes and colors just opened at BAINS,
dec.11. No. 29 South High street.

The Latest---The Largest---The Best. The Cheapest Because the Best.

"The Most Reliable Standard Authority of the English Language." Sin Hundred Eminent Educators of Ohio, "THE BEST ENGLISH DICTIONARY EXTANT." Literary Men Everywhere.

"He:e are upwards of a Hundred Thousand Words, whose multifarious meanings and derivations, together with their correct spelling, and pronunciation are clearly set before the eye."

Read the Decisions of the Members of the Ohio State Teacher's Association. The undersigned, members of the Ohio State Teachers' Association, adopt and aim to use in teaching, writing and spesking, the orthography and pronunciation of Worcester's Royal Quarto Diotionary, and we most cordially recommend it as the most reliable standard aufally recommend it as the most remands standard thority of the English language, as it is now written and

LORIN ANDREWS, President Kenyon College.

M. D. LEGGETT, Superintendent Zanesville Schools.

THOS. W. HARVEY, Sup't Massilon Union Schools.

M. F. COWDERY, Sup't Public Schools, Sandusky.

JOHN LYNCH, Sup't Public Schools, Circleville.

S. N. SANFORD, Principal Cieveland Female Semina-

WM. MITCHELL, Sup't Public Schools, Mt. Union. John Coren, Principal State Normal School, Minne CYRUS NASON, Principal Pourth Intermediate School

H. S. Martin, Sup't Canton Union Schools.
E. W. REGAL, Principal McNeely Normal School.
ELI T. Tappan, Prof. Mathematics, Ohio University.
WM. W. EDWARDS, Sup't Troy Union School.
A. G. Hofkins, Principal West High School, Cleve

B. A. NORTON, Associate Principal High School, Cleve THEODORE STERLING, Principal High School, Cleve) R. F. Humiston, Principal Cleveland Institute.
J. A. Garrinio, President of Electic Institute, Hi

W. L. HARRIS, Prof. of Chemistry, Ohio Wesleyan Iniversity. H. H. Barney, Ex-Commissioner of Common Schools Ohlo.

JAMES MONROR, Prof. Rhetoric, Oberlin College.

Thos. Hill, President Antioch College.

O. W. H. CATHCART, Prof. Mathematics, High School, Dayton.

B. C. CRUMBAUGH, Prof. Language, High School.

S. M. BARBER, Sup't Union Schools, Ashland. More than Sim Hundred other Presidents of Colleges, Professors, Authors and Distinguished Educators, have endorsed the above sentiment.

PRESIDENTS OF COLLEGES IN OHIO. Marietta College —"It is truly a magnificent work, an honor to the author, the publishers, and the whole country."—President Andrews.

Omio Weslevan University ... 'It exceeds my expecta-tions. It will be my guide in orthography and pronun-ciation and will often be consulted by me for its nest and accurate definitions."—President Thompson. W. R. ECLECTIC COLLEGE.—"Heretofore we have used Webster's orthography. At a recent meeting of our Faculty, it was decided to change it to conform to that of Worcester's Royal Quarto Dictionary."—President

WESTERN RESERVE COLLEGE .- "I find it worthy of cordial approbation."-President Hitchcock. OBERLIN COLLEGE.—"It more than meets my expecta-tions. I recommend it as the standard authority in orthopy to my children and my pupils."—President Morgan.

ANTICCH COLLEGE.—"I sdopt and aim to use in teaching, writing and speaking, the orthography and pronunciation of Worcester's Moyal Quarto Dictionary."—President Hill.

"In all my writing, speaking, and teaching, I have en-deavored to conform to the rules for orthography and pronunciation as contained in Worcester's Dictionary."

—Horace Mann, late President. Kanyon College, Gambier. — "I most cordially recommend it as the most reliable standard authority of the English language as it is now written and spoken." — President Andrews.

SCHOOL COMMISSIONERS OF OHIO.

"The Dictionary is an imperishable monument to the learning and industry of its author, and an honor to the world of letters. The mechanical execution is far superior to that of any other Lexicon with which I am acquainted."

From Hon. H. B. Barney. En Commissioner of Schools in Ohio. "The most reliable standard authority of the lag-

Leading Newspapers of Ohio Say. From the Cleveland Herald of March 28.

The orthography of the Worcester Dictionary is that used by most, if not all, authors of distinction in this country and England, and conforms to the general usage of ordinary writers and speakers.

Whatever prejudices may have existed previously, a careful study of this volume will invariably be followed by a warm appreciation of its great merits, and a desire to add it to the well selected library, be it large or small.

Here are upwards of a hundred thousand words—good, bad and indifferent—whose multifarious meanings and derivations, together with their correct spelling and pronunciation, are set clearly before the eye. The work is unquestionably the greatest Thesaurus of English Words ever published. From the Cincinnati Commercial of April 20.

From the Cleveland Plaindealer of Sept. 20, 1860. Evidently Worcester's Boyal Quarto Dictionary is not only the last, but the next work of the kind over is-used, and can by no possibility suffer by comparison or outcovers.

As to PRONUNCIATION, WORGESTER IS THE STANDARD collowed by our best authors; in definitions he leaves nothing to be desired, and in ORTHOGRAPHY it is sufficient say that Worcester can be safely followed.

INGHAM & BRAGG, Publishers, Booksellers & Stationers, NO. 191 SUPERIOR ST., CLEVELAND, OHIO.

THE MUTUAL BENEFIT LIEE INSURANCE COMPANY,

Newark, N. J.

Dividend January 1, 1861, 45 Per Cent. Statement January 1, 1861,

ASSETS.

Cash on hand 36 6284 19
Bonds and Mortgages on Real
Estate, worth double the
amount loaned 2,327,841 68
Premium Notes, on Policies
in force, only drawing 5 per
cent. Interest 1,279,864 17
Real Estate 90,893 27
Loans on Scrip 5,931 44
Premiums, Notes and Cash, in
course of transmission 45,343 75

1,435 new Policies have been issued during the year. 1,435 new Policies have been issued during the year.
After a careful calculation of the present value of the
after a careful calculation of the present value of the
automation policies of the Company, and having the
necessary amount in reserve therefor, the Directors
have declared a Diversor of 45 per cent, on the Fremihave declared a Diversor of 45 per cent, on the Fremihams paid at the table rates, be all policies for life in force,
issued prior to Jamary 1, 1800, payable according to the
present rule of the Company.

Rates for all kinds of Life Contingencies, Prospectuses, Statements, and Applications, will be furnished
withour charge, at the Office or Agencies of the Company.

BENJ. C. MILLER, Scorcing, Vice President.
H. H. B. E. SON - April,
No. 4 Johnson Block,

is a constitutional disease, a corruption of the blood, by which this fluid becomes vitiated, weak, and poor. Being in the circulation, it pervades the whole body, and may burst out in disease on any part of it. No organ is free from its attacks, nor is there one which it may not destroy. The scrofulous taint is variously caused by mercurial disease, low living, dis-ordered or unhealthy food, impure air, filth and filthy habits, the depressing vices, and, above all, by the venereal infection. Whatever be its origin, it is hereditary in the constitution, descending "from parents to children unto the third and fourth generation;" indeed, it seems to be the rod of Him who says, "I will visit the iniquities of the fathers upon

their children." Its effects commence by deposition from the blood of corrupt or ulcerous matter, which, in the lungs, liver, and internal organs, is termed the energies of life, so that scrofulous constitutions not only suffer from scrofulous comtitutes the plaints, but they have fur less power to withstand the attacks of other diseases; consequently vast numbers perish by disorders which although not scrofulous in their mature, are still rendered fatal by this taint in the system. Most of the consumption which decimals and the stand for the first system. Most of the consumption which decimals and the stands of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are still rendered fatal by this taint in the system. Most of the consumption which decimals are stated to him at the flatter of four years; and then proceeds the four years; and then proceeds to hold his effice of four years; and then proceeds the party, although he was entitled to it by law, or delived their decisions from time to time, so as delived their decisions from time to time, so as delived their decisions from time to tim in this scrofulous contamination; and many destructive diseases of the liver, kidneys, brain, and, indeed, of all the organs, arise from or

are aggravated by the same cause. To cleanse it from the system we must renovate the blood by an alterative medicine, and invigorate it by healthy food and exercise. Such a medicine we supply in

AYER'S Compound Extract of Sarsaparilla,

the most effectual remedy which the medical skill of our times can devise for this every-where prevailing and fatal malady. It is com-bined from the most active remedials that have been discovered for the expurgation of this foul disorder from the blood, and the rescue of the system from its destructive consequences. Hence it should be employed for the cure of not only Scrofula, but also those other affections which arise from it, such as Enverive and Skin Diseases, St. Anthony's Fire, Rose, or Envsipelas, Pimples, Pustules, BLOTCHES, BLAINS and BOILS, TUMORS, TETTER and SALT RHEUM, SCALD HEAD, RINGWORM, RHEUMATISM, SYPHILITIC and MERCURIAL DIS-EASES, DROPSY, DYSPEPSIA, DERILITY, and, ndeed, ALL COMPLAINTS ARISING FROM VITIA-

AYER'S

Ague Cure,

We are enabled here to offer the community a remedy which, while it cures the above complaints with certainty, is still perfectly harmless in any quantity. Such a remedy is invaluable in districts where these afflicting disorders prevail. This "Cure" expels the miasmatic poison of Fruen and Adue from the system, and prevents the development of the disease, if taken on the first approach of its premonitory symptoms. It is not only the best remedy ever yet discovered for this class of complaints, but also the cheapest. The large quantity we supply for a dollar brings it within the reach of every body; and in billous districts, where Fever and Ague prevails, every body should have it and use it freely both for cure and protection. A great superiority of this remedy over any other ever discovered for the speedy and certain cure of Intermittents is that it contains no Quining or mineral, consequently it produces no quinism or or mineral, consequently it produces no quinism or other injurious effects whatever upon the constitu-tion. Those cured by it are left as healthy as if they had never had the disease.

they had never had the disease.

Fever and Ague is not alone the consequence of the mismatic poison. A great variety of disorders arise from its irritation, among which are Neuralgia, Rheumatism, Gout, Headache, Blindness, Toothache, Earache, Catarrh, Asthma, Falpitation, Painful Affection of the Spleen, Hysterics, Pain in the Bowels, Colic, Paralysis and Derangement of the Stomach, all of which, when originating in this cause, put on the intermittent type, or become periodical. This "Curu" expels the poison from the blood, and consequently cures them all alike. It is an invaluable protection to immigrants and persons travelling or temporarily them all since. It is an invaluable protection to immigrants and persons travelling or temporarily residing in the malarious districts. If taken occasionally or daily while exposed to the infection, that will be excreted from the system, and cannot accumulate in sufficient quantity to ripen into disease. Hence it is even more valuable for protection than cure, and few will ever suffer from Intermittants if they avail themselves of the recently and the protection of the contraction of mittents if they avail themselves of the protection this remedy affords.

Prepared by Dr. J. C. AYER & CO., Lowell, Mass. ROBERTS & SAMURL, Colum And by Druggists and Dealers everywhere. nov9:lyd,tw&w

CANADIAN & UNITED STATES MAIL STEAMERS TO AND PROM

LONDONDERRY, GLASGOW, Liverpool, Montreal, Quebec,

NEW YORK. The Montreal Ocean Steamship Company's first-class full-powered Clyde-built Steamers sail every Saturday from PORTLAND, carrying the Canadian and United States Mail and passengers.

NORWEGIAN, BOHEMIAN, NORTH BRITON, ANGLO-SAXON, HIBERNIAN, NOVA SCOTIAN. Shortest, Cheapest and Quickest Con-veyance from

AMERICA TO ALL PARTS OF EUROPE. \$30, \$66, \$80.

will sail from LIVERPOOL every Wednesday, and from QUEBEC every Saturday, calling at LONDONDEREY, to receive on board and land Mails and Passengers, to and from Ireland and Scotland.

Il These Steamers are built of iron in water-tight compartments, carry each an experienced Surgeon, and every attention is paid to the comfort and accommodation of passengers. As they proceed direct to LONDONDERY, the great risk and delay of calling at St. John's is avoided.

DERY, he great risk saw delay of calling at et. John sis avoided.
Glasgow passengers are furnished with frazz passage tickets to and from Londonderry.
Return tickets granted at reduced rates.
Ocrtificates issued for carrying to and bringing out passengers from all the principal towns of Great Britain and Ireland, at reduced rates, by this line of steamers, and by the WASHINGTON LINE OF BAILING PACKETS, leaving Liverpool every week. ng Liverpool every weak. sight Drafts for £1 and upwards pay-able in England, Iroland, Scot-land or Wales.

SABEL & SEARLE, General Agents, J. R. ARMSTRONG, HENRY KEHLER, Late of Phalon's Establishment, N. Y.,) Proprietoro the New York Fashionable Shaving, Hair Cutting Shampooning, Curling and Dressing Saloon, East State street, ever the Post Office, where satisfaction will be given in all the various branches. Ladies and

Scrofula, or King's Evil, The Ohio Statesman

TERMS. THE MERRYMAN CASE. Opinion of Chief Justice Taney.

Ex parte

JOHN MERRYMAN.

The petition presents the following case:— The petitioner resides in Maryland, in Baltimore

county. While peaceably in his own house, with One quarter of all our people are scrofulous; his family, it was, at two o'clock on the morn-their persons are invaded by this lurking ining of the 25th of May, 1861, entered by an fection, and their health is undermined by it. armed force, professing to act under military

has been charged against him upon oath; but the States.

ing him to produce the prisoner before a Justice of the Supreme Court, in order that he may

of justice, or to the public, by proclamation or otherwise, that the President claimed this pow-

Mr. Jefferson might exercise the power himself, if, in his opinion, the public safety demanded

Having, therefore, regarded the question as too plain and too well settled to be open to dispute, if the commanding officer had stated that upon his own responsibility, and in the exercise of his own discretion, he refused obedience to the writ, I should have contented myself with re-ferring to the clause in the Constitution, and to the construction it received from every jurist and statesman of that day, when the case of Burr was before them. But, being thus officially notifled that the privilege of the writ has been suspended under the orders and by the authority of the President, and believing, as I do, that the President has exercised a power which he does not possess under the Constitution, a proper respect for the high office he fills requires me to state plainly and fully the grounds of my opinion, in order to show that I have not ven-tured to question the legality of his act without a careful and deliberate examination of the

The clause in the Constitution which authorizes the suspension of the privilege of the writ of habeas corpus is in the 9th section of the first

This article is devoted to the legislative de-partment of the United States, and has not the slightest reference to the executive depart-ment. It begins by providing "that all legis-lative powers therein granted shall be vested in a Congress of the United States, which shall a Congress of the United States, which shall consist of a Senate and House of Representatives." And, after prescribing the manner in which these two branches of the legislative department shall be chosen, it proceeds to enumerate specifically the legislative powers which it thereby grants, and legislative powers which it expressly prohibits; and, at the conclusion of this specification, a clause is inserted giving Congress "the power to make all laws which may be presently and proper to carry into executions." may be necessary and proper to carry into exe-cution the foregoing powers, and all other pow-er; vested by this Constitution in the Government of the United States, or in any departmen

or office thereof." or effice thereof."

The power of legislation granted by this latter clause is by its words carefully confined to the specific objects before enumerated. But, as this limitation was unavoidably somewhat indefinite, it was deemed necessary to guard more effectually certain great cardinal principles essential to the liberty of the citizen, and to the rights and equality of the States, by denying to Congress, in express terms, any power of legis-

Before the Chief Justice of the Supreme Court of the United States, at Cham-

blaints, but they have fur less power to withstand the attacks of other diseases; consetand the duties imposed upon him. And
the short term for which he is elected, and the
solved to hear it in the latter city, as obedishow the jealousy and apprehensions of future
danger which the fismers of the Constitution
felt in relation to that department of the Govit many of the power is confined. The great and incurred his resentment in any
of the which, although not scrofulous in their mature,
it is the distinct term for which he is elected, and the
solved to hear it in the latter city, as obedishow the jealousy and apprehensions of future
danger which the fismers of the Constitution
felt in relation to that department of the Govit many of the power is confined
as corpus act of the 31st Charles II. is that it
contains provisions which compel courts and
in the structive diseases of the liver, kidneys, brain,
it many of the power is confined
as corpus act of the 31st Charles II. is that it
to him, and the duties imposed upon him.

And
the short term for which he is elected, and the
narrow limits to which his power is confined
as corpus act of the Stages
as corpus and apprehensions of the train the stages
as corpus act of the

ration of the government.

He is elected, as I have already said, for the brief term of four years, and is made personally responsible, by impeachment, for malfeasmanding officer, without warrant from any lawful authority.

The commander of the fort, General George Cadwallader, by whom he is detained in confinement, in his return to the writ, does not definement, in his return to the writ, does not definement, in his return to the writ, does not described by the companies of the facts alleged in the petition. He Cadwallader, by whom he is detained in confinement, in his return to the writ, does not denote any any of the facts alleged in the petition. He states that the prisoner was arrested by order of Gen. Keim, of Pennsylvania, and conducted as a prisoner to Fort Mollenry by his order, and placed in his (Gen. Cadwallader's) custody, to be there detained by him as a prisoner.

A copy of the warrant, or order, under which the prisoner was arrested, was demanded by his counsel, and refused. And it is not alleged in the perisoner for purposes dangerous the return that any specific act, constituting an conducted as a prisoner to Fort Mollenry by his order, and placed in his (Gen. Cadwallader's) custody, to be there detained by him as a prisoner.

A copy of the warrant, or order, under which the prisoner was arrested, was demanded by his counsel, and refused. And it is not alleged in the perisoner for purposes dangerous to fine support of the army can be made by Congress for a longer term than two years, so that it is protection impossible.

"But the glory of the English law consists in clearly defining the times, the causes, and the extent, when, wherefore, and to what degree each, would destroy all civil liberty by rendering its protection impossible.

"But the glory of the English law consists in clearly defining the times, the causes, and the extent, when, wherefore, and to what degree the imprisonment of the subject may be lawful. This it is which induces the absolute necessity.

This it is which induces the absolute necessity is protection impossible.

"But the glory of the English law consists in clearly defining the times, the causes, and the extent, when, wherefore, and to what degree the imprisonment of the subject may be lawful. This it is which induces the absolute necessity is protection impossible.

"But the glory of the English law consists in clearly defining the times, the causes, and the extent, when, wherefore, and to what degree the imprisonment of the subject may be lawful. This it is which induces the

cise of that discretion, suspends it in this case, and on that ground refuses obedience to the write.

As the case comes before me, therefore, I understand that the President not only claims the right to suspend the writ of habeas corpus himself, at his discretion, but to delegate that discretionary power to a military officer, and to leave it to him to determine whether he will or will not obey judicial process that may be served upon him.

No official notice has been given to the courts of justice, or to the public, by proclamation or favor, and to have the assistance of counsel for justice, or to the public, by proclamation or favor, and to have the assistance of counsel for the amendments to the Constitution immediately/following the one above referred to—that is, the sixth article—provides that in all "criminal prosecutions the accused to—that is, the sixth article—provides that the president mot only claims the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of this accusation; to be confronted with the district shall have been previously ascertained by law, and to be informed of the nature and cause of this accusation; to be confronted with the district shall have been previously ascertained by law, and to be informed of the nature and cause of the matter, whose resentment was not cooled at the distance of four and twenty years."

It is worthy of remark that the Marshal to arrest him; and upon the hearing of the party, would have court would not afterward grant a habcas corpus that in all "criminal prosecutions the accused with the cause of the imprisonment." But this warrant to the Marshal to arrest him; and upon the hearing of the cause of the imprisonment. But this warrant to the Marshal to arrest him; and upon the hearing of the cause of the imprisonment. But this warrant to the

was the head became so formidable, and was so extensively ramified as to justify, in Mr. Jefferson's opinion, the suspension of the writ, he claimed, on his part, no power to suspend it, but communicated his opinion to Congress, with all the proofs in his possession, in order that Congress might exercise its discretion upon the subject, and determine whether the public safestion and the debate which took and in the debate which took and in the debate which took and in subordination to judicial autority is discretion to judicial autority in the case that they be lattingly carried into execution, as they are expounded and adjudged by the Constitution, as they are expounded and adjudged by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that duty is assigned by the Constitution provides, as I have before which that 'no person shell be deprived of life, it is a very common mistake, and not only said, that 'no person shell be deprived of life, it is a very common mistake, and not only said, that 'no person shell be deprived of life, it is a very common mistake, and not only said, that 'no person shell be deprived of life, it is a very common mistake, and not only said, that 'no person shell be deprived of life, it is a very common mistake, and not only said, that 'no person shel e upon the subject, no one suggested that thority, assisting it to execute its process and

enforce its judgments. With such provisions in the Constitution, expressed in language too clear to be misunder-stood by any one, I can see no grounds whatever for supposing that the President, in any emergency or in any state of things, can authorize the suspension of the privilege of the writ of ha-beas corpus, or arrest a citizen, except in aid of the judicial power. He certainly does not faithfully execute the laws if he takes upon himself legislative power by suspending the writ of ha-beas corpus—and the judicial power, also, by ar-resting and imprisoning a person without due process of law. Nor can any argument be drawn from the nature of sovereignty, or the necessi-ties of government, for self-defence in times of tumult and danger. The government of the United States is one of delegated and limited powers. It derives its existence and authority altogether from the Constitution, and neither of its branches, executive, legislative, or judicial, can exercise any of the powers of government beyond those specified and granted. For the 10th article of the amendments to the Constitution in express terms provides that "the pow-ers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the

Indeed, the security against imprisonment by executive authority, provided for in the fifth article of the amendments of the Constitution, which I have before quoted, is nothing more than a copy of a like provision in the English Constitution, which had been firmly established before the Declaration of Independence. Blackstone, in his Commentaries (1st vol.

137), states it in the following words:
"To make imprisonment lawful, it must be either by process from the courts of judicature or by warrant from some legal officer having au-thority to commit to prison." And the people of the United Colonies, who had themselves lived under its protection while they were British subjects, were well aware of the necessity of this safeguard for their personal liberty.—

And no one can believe that, in framing a government intended to guard still more efficiently the rights and the liberties of the citizens against Executive encroachment and oppression, they would have conferred on the President a power which the history of England had proved to be dangerous and oppressive in the bands of the Crown, and which the people of England had proved to be dangerous and oppressive in the bands of the Crown, and which the people of England had compelled it to surrender, after a long and obstinate struggle on the part of the English Executive to usurp and retain it.

suspend the writ, then the Constitution of the United States has conferred upon him more regal and absolute power over the liberty of the citizens than the people of England have thought it safe to entrust to the Crown—a power which the Queen of England cannot exercise at this day, and which could not have been lawfully exercised by the sovereign even in the reign of Charles the First.

But I am not left to form my judgment upon this great question from analogies between the English Government and our own, or the decisions of

United States, at Chambers.

The application in this case for a writ of hase beas corpus is made to me under the 14th section of the Judiciary act of 1789, which renders to the constitutional privilege of the writ of habeas corpus. That act gives to the courte of the United States, as well as to each justice of the Supreme Court, and to habeas corpus for the purpose of an inquiry into the cause of commitment.

The application in this case for a writ of habeas corpus for the litherto, and prescribes its duties. And if the high power over the liberty of the citizen the constitutional privilege of the writ of habeas corpus. That act gives to the courte of the United States, as well as to each justice of the Supreme Court, and to habeas corpus for the purpose of an inquiry into the cause of commitment.

The article begins by declaring that the Executive power shall be vested in a President of the United States of America, to hold his office during the term of four years; and then proceeds to prescribe the mode of election, and to specify in precise and plain words the power delegated in power over the liberty of the citizen and times the loss conferred no new right upon the subject, but only secured a right already existing for, although the right could not be justly denied, but only secured a right already existing for, although the right could not be justly denied, but only secured a right already existing for, although the right could not be justly denied, but only secured a right already existing for, although the right could not be justly denied, but only secured a right already existing for, although the right could not be justly denied, the lith of the lith of the statute of the lith of the lith of the worst of purposes. Hitherto, no suspendence will in the statute of the lith of the lith of the lith of the lith of the statute of the lith of the lith of the statute of the lith of the lith of the worst of purposes. Hitherto, no suspendence will be the word in that the lith of the lith of the lith of the lith

were considered as dangerous to the liberty of showing the ancient state of the law upon this the subject, and conferred (and that in clear and subject, and the abuses which were practiced specific terms) those powers only which were through the power and influence of the Crown, deemed essential to secure the successful ope-ration of the government. al History, stating the circumstances which gave

the return that any specific act, constituting an use of military power for purposes dangerous and, according to the circumstances of the offense against the laws of the United States, to the liberties of the people or the rights of case, may discharge, admit to bail, or remand the prisoner.

favor, and to have the assistance of counsel for on as a justification for his arrest and imprisonment, in their nature and character, and in the er, and had exercised it in the manner stated in the return. And I certainly listened to it with some surprise, for I had supposed it to be one of those points of constitutional law upon which there was no difference of epinion, and that it was admitted on all hands that the privilege of the writ could not be suspended, except by act of Congress.

When the conspiracy of which Aaron Burr When the conspiracy of which Aaron Burr Was the head became so formidable, and was so extensively ramified as to justify, in Mr. Jeffer—

bis defence.''

And the only power, therefore, which the life, liberty, or property of a private citizen is concerned, is concerned, is den. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant for the arrest of Mr. Selde

> onment, it introduced no new principle, nor conferred any right upon the subject. From the earliest records of the English law, no freeman inal charge or conviction, or for a civil debt .-In the former case it was always in his power In the former case it was always in an poet to demand of the Court of King's Bench a writ of habeas corpus ab subjectendum directed to the person detaining him in custody, by which he was enjoined to bring up the body of the prisoner with the warrant of commitment, that the court might judge of its sufficiency and remand the party, admit him to bail, tor discharge him, according to the nature of the charge. writ issued of right, and could not be refused by the court. It was not to bestow an immunity from arbitrary imprisonment, which is abundantly provided for in Magna Charta (if, indeed, it were not more ancient), that the statute of Charles II. was enacted, but to cut off the abuses by which the Government's lust of power, and the servile subtlety of Crown lawyers, had impaired so fundamental a privilege." While the value set upon this writ in England

> stitution is, that it is not left to the executive power to determine when the danger of the State is so great as to render this measure expedient. It is the Parliament only, or legislative power, that, whenever it sees proper, can authorize the Crown, by suspending the habeas corpus for a short and limited time, to imprison suspected receives without giving any reason for so doing." persons without giving any reason for so doing."
> And if the President of the United States may suspend the writ, then the Constitution of the United States has conferred upon him more re-

rights and equality of the States, by denying to Congress, in express terms, any power of legislation of the States, by denying to Congress, in express terms, any power of legislation with the struggle on the part of the English Executive to usurp and retain it.

The right of the subject to the benefit of the pretext that it was necessary and proper to carry into execution the powers granted; and it was determined that there should be no room to doubt, where rights of such vital importance are concerned, and accordingly this clause is immediately followed by an enumeration of certain subjects, to which the powers of legislation attached to the privilege of the writ of Asbers corpus, to protect the liberty of the clitten, is proved by the fact that its suspension, except in cases of invasion and rebellion, le first in the list of pro-

hibited powers; and even in these cases the powers of denied, and its exercise prohibited, unless the public safety shall require it.

It is true that, in the cases mentioned, Congress is, of necessity, the judge of whether the public safety does or does not require it; and their judgment is conclusive. But the introduction of these words is a standing admonition to the legislative body of the danger of suspending it, and of the extreme caution they should exercise before they give the Government of the United States such power over the liberty of a citizen.

It is the second article of the Constitution in the second article of the constitution of the Executive Department, and enumerates the powers conferred on it, and prescribes its duties. And

this injunction, they must have felt, with pecu-liar force, the obligation of providing efficient means by which this great constitutional privilege should receive lile and activity; for, if the means be not in existence, the privilege itself would be lost, although no law for its suspension

And again, on pige 101:

"If at any time the public safety should require a suspension of the powers vested by this act in the courts of the United States, it is for the Legislature to say so. That question depends upon political considerations, on which the Legislature is to decide. Until the Legislative will be expressed this court

military authority in this case has gone far be-youd the mere suspension of the privilege of the writ of habeas corpus. It has, by force of arms, thrust aside the judicial authorities and officers the appears to have been arrested upon general charges of treason and rebellion, without proof, and authority necessarily conferred on without giving the rames of the him, are carefully restricted, as well as those be the laws, and substituted a military government witnesses, or specifying the acts, which, in the judgemnt of the military officer, constituted a military government, the judgemnt of the military officer, constituted a military government, in its place, to be administered and executed by the judgemnt of the military officers. For at the time these protect these crimes. And having the prisoner thus the ordinary officers of Government, in its place, to be administered and executed by military officers. For at the time these protect the special computed by indeed, ALL COMPLAINTS Allising Phon VITIATED OR INFURE BLOOD. The popular belief
in "impurity of the blood" is founded in truth,
for scrofula is a degeneration of the blood. The
particular purpose and virtue of this Sarsaparilla is to purify and regenerate this vital fluid,
without which sound health is impossible in
without which sound health is impossible in

or Infure Blood. The popular belief
in custody upon these vague and unsupported accusations, he refuses to obey the writ of habeas
containing the prisoner thus
dian tribe, without the advice and consent of
in case he was committed without any cause assigned,
in case he was committed by the Senate; and cannot appoint even inferior
officers, unless he is authorized by an act of
Council. This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on a Parliamentary inquiry,
and produced the Petition of Right—3 Chas. I
Council This drew on officer, residing in Pennsylvania, issues an order to arrest a citizen of Maryland, upon vague and indefinite charges, without any proof, so far as appears. Under this order his house is entered in the night; he is seized as a prisoner, and conveyed to Fort McHenry, and there kept in close confinement. And when a habeas coring is served on the commanding officer, requiring him to produce the prisoner before a Justice.

The United States, and whom he may, from the evidence before him, believe to be guilty; nor or detained. But when, in the following year, or detained. And even, if the privilege of the writ of habeas the long vacation) to deliver an opinion how far and the evidence to support it, to the District corpus was suspended by act of Congress, and a such a charge was bailable. And when, at Attorney; and it would have become the duty party not subject to the rules and articles of war length, they agreed that it was, they, however, Intermittent Fever, or Fever and Ague, Remittent Fever, Chill Fever, Dumb Ague, Periodical Headache, or Billons Headache, and Billons Fevers, indeed by the President to suspend the writ of his discretion, and, in the exertion in billiary derangement, caused by the Malarin of Minsmatle Countries.

Attorney; and it would have become the duty party not subject to the rules and articles of war length, they agreed that it was, they, however, the answer of the officer is, that he is authorized and imprisoned by regular judicial process, de could not be detained in prison or brought to trial before a military trial before a milit

> tary officer, stationed in Pennsylvania, without giving any information to the District Attorney,

forms a sort of epoch in their history. But though a very beneficial enactment, and eminently remedial in many cases of illegal impris by oath or affirmation, and particularly describshall assue but upon probable cause, supported ing the place to be searched, and the persons or things to be seized." It provides that the party accused shall be entitled to a speedy trial in a court of justice.

And these great and fundamental laws, which Congress itself could not suspend, have been the Constitution has confided to the judiciary de-partment and judicial officers may thus, upon any pretext or under any circumstances, Se usurped by the military power at its discretion, the people of the United States are no longer living under a government of laws, but every citizen holds life, liberty and property at the will and pleasure of the army officer in whose

military district he may happen to be found. In such a case, my duty was too pinin to be mistaken. I have exercised all the power which the Constitution and laws confer on me, but that had impaired so fundamental a privilege."

While the value set upon this writ in England has been so great that the removal of the abuses which embarransed its enjoyments has been looked upon as almost a new grant of liberty to the subject, it is not to be wondered at that the continuance of the writ thus made effective should have been the object of the most that the continuance of the writting made trifective should have been the object of the most jealous care. Accordingly, no power in Eagland, short of that of Parliament, can suspend or authorize the suspension of the writtof habeas or authorize the writtof habeas or authorize the written habeas or authorized habea corpus. I quote again from Blackstone (1 main for that high officer, in fulfillment of his constitutional obligation, to "take care that the atlitution is, that it is not left to the executive laws be faithfully executed," to determine what constitutional obligation, to "take care that the laws be faithfully executed," to determine what

-The Day-Book says: "It is one of the "Ar ticles of War," that it shall be considered death to stop a cannon ball!"

-Why is a man paying his note at the bank like a tather going to see his children? Be-

—Gentlemen who smoke allege that it makes them calm and complacent. They they us the more they fume the more they don't fret.